

## BANKRUPTCY COURT FEES

<b>New Petition:</b>	<b>Chapter 7</b>	<b>\$ 299.00</b>
	<b>Chapter 9</b>	<b>\$ 1,039.00</b>
	<b>Chapter 11 (not a Railroad)</b>	<b>\$ 1,039.00</b>
	<b>Chapter 11 (Railroad)</b>	<b>\$ 1,039.00</b>
	<b>Chapter 12 (Family Farmer)</b>	<b>\$ 239.00</b>
	<b>Chapter 13</b>	<b>\$ 274.00</b>
	<b>Chapter 15</b>	<b>\$ 1,039.00</b>

<b>Adversary Proceeding:</b>	<b>\$ 250.00</b>
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<b>Case Reopening</b>	<b>Chapter 7</b>	<b>\$ 260.00</b>
<b>or Bifurcation:</b>	<b>Chapter 13</b>	<b>\$ 235.00</b>
	<b>Chapter 11</b>	<b>\$ 1,000.00</b>
	<b>Chapter 12</b>	<b>\$ 200.00</b>
	<b>Chapter 15</b>	<b>\$ 1,000.00</b>

<b>Case Conversions:</b>		
	<b>Chapter 7 to Chapter 13</b>	<b>None</b>
	<b>Chapter 7 to Chapter 12</b>	<b>None</b>
	<b>Chapter 7 to Chapter 11</b>	<b>\$ 755.00</b>
	<b>Chapter 13 to Chapter 11</b>	<b>\$ 765.00</b>
	<b>Chapter 13 to Chapter 7</b>	<b>\$ 25.00</b>
	<b>Chapter 13 to Chapter 12</b>	<b>None</b>
	<b>Chapter 12 to Chapter 7</b>	<b>\$ 60.00</b>
	<b>Chapter 12 to Chapter 13</b>	<b>\$ 35.00</b>
	<b>Chapter 12 to Chapter 11</b>	<b>\$ 800.00</b>
	<b>Chapter 11 to Chapter 7</b>	<b>\$15.00</b>
	<b>Chapter 11 to any except Chap 7</b>	<b>None</b>

<b>Amendments:</b>	<b>Schedules "D" "E" "F"</b>	<b>\$ 26.00</b>
	<b>Master Mailing List</b>	<b>\$ 26.00</b>

<b>Motions:</b>		
	<b>Motion to Compel Abandonment of Property</b>	<b>\$ 150.00</b>
	<b>Motion to Terminate, Annul, Modify, or</b>	
	<b>Condition the Automatic Stay</b>	<b>\$ 150.00</b>
	<b>Motion to Withdraw Reference</b>	<b>\$ 150.00</b>

<b>Appeal Fee</b>	<b>\$ 255.00</b>
<b>Direct Appeal Fee</b>	<b>\$ 200.00</b>

<b>Pro Hac Vice Fee</b>	<b>\$ 200.00</b>
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<b>Attorney Admission Fee</b>	<b>\$ 170.00</b>
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<b>Copies (per page)</b>	<b>\$ 0.50</b>
	<b>(\$0.10 at Public Terminals in Courthouse)</b>

<b>Certification</b>	<b>\$ 9.00</b>
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<b>Certificate of Good Standing</b>	<b>\$ 15.00</b>
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<b>Duplicate Certificate of Admission</b>	<b>\$ 15.00</b>
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<b>Exemplification</b>	<b>\$ 18.00</b>
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<b>Check Returned for Lack of Funds</b>	<b>\$ 45.00</b>
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<b>Retrieval of Records from Archives</b>	<b>\$ 45.00</b>
<b>Reproduction of Recordings</b>	<b>\$ 26.00</b>
<b>Search of Records</b>	<b>\$ 26.00</b>
<b>Filing or Indexing</b> (in a case or proceeding where a filing fee has not been paid)	<b>\$ 39.00</b>
<b>Microfiche (per sheet)</b>	<b>\$ 5.00</b>

## **Bankruptcy Court Miscellaneous Fee Schedule<sup>1</sup>**

Following are fees to be charged for services provided by the bankruptcy courts. No fees are to be charged for services rendered on behalf of the United States, with the exception of those specifically prescribed in items 1, 3, and 5, or to bankruptcy administrators appointed under Public Law No. 99-554, § 302(d)(3)(I). No fees under this schedule shall be charged to federal agencies or programs which are funded from judiciary appropriations, including, but not limited to, agencies, organizations, and individuals providing services authorized by the Criminal Justice Act, 18 U.S.C. § 3006A.

- (1) For reproducing any record or paper, \$.50 per page. This fee shall apply to paper copies made from either: (1) original documents; or (2) microfiche or microfilm reproductions of the original records. This fee shall apply to services rendered on behalf of the United States if the record or paper requested is available through electronic access.
- (2) For certification of any document or paper, whether the certification is made directly on the document or by separate instrument, \$9. For exemplification of any document or paper, twice the amount of the charge for certification.
- (3) For reproduction of recordings of proceedings, regardless of the medium, \$26, including the cost of materials. This fee shall apply to services rendered on behalf of the United States, if the reproduction of the recording is available electronically.
- (4) For amendments to a debtor's schedules of creditors, lists of creditors, matrix, or mailing lists, \$26 for each amendment, provided the bankruptcy judge may, for good cause, waive the charge in any case. No fee is required when the nature of the amendment is to change the address of a creditor or an attorney for a creditor listed on the schedules or to add the name and address of an attorney for a listed creditor.

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<sup>1</sup> Issued in accordance with 28 U.S.C. § 1930(b).

- (5) For every search of the records of the bankruptcy court conducted by the clerk of the bankruptcy court or a deputy clerk, \$26 per name or item searched. This fee shall apply to services rendered on behalf of the United States if the information requested is available through electronic access.
- (6) For filing a complaint, \$250. If the United States, other than a United States trustee acting as a trustee in a case under Title 11, or a debtor is the plaintiff, no fee is required. If a trustee or debtor in possession is the plaintiff, the fee should be payable only from the estate and to the extent there is any estate realized. If a child support creditor or its representative is the plaintiff, and if such plaintiff files the form required by § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.
- (7) For filing or indexing any document not in a case or proceeding for which a filing fee has been paid, \$39.
- (8) In all cases filed under title 11, the clerk shall collect from the debtor or the petitioner a miscellaneous administrative fee of \$39. This fee may be paid in installments in the same manner that the filing fee may be paid in installments, consistent with the procedure set forth in Federal Rule of Bankruptcy Procedure 1006.
- (9) Upon the filing of a petition under Chapter 7 of the Bankruptcy Code, the petitioner shall pay \$15 to the clerk of the court for payment to trustees serving in cases as provided in 11 U.S.C. § 330(b)(2). An application to pay the fee in installments may be filed in the manner set forth in Federal Rule of Bankruptcy Procedure 1006(b).
- (10) Upon the filing of a motion to convert a case to Chapter 7 of the Bankruptcy Code, the movant shall pay \$15 to the clerk of court for payment to trustees serving in cases as provided in 11 U.S.C. § 330(b)(2). Upon the filing of a notice of conversion pursuant to Section 1208(a) or Section 1307(a) of the Code, \$15 shall be paid to the clerk of the court for payment to trustees serving in cases as provided in 11 U.S.C. § 330(b)(2). If the trustee serving in the case before the conversion is the movant, the fee shall be payable only from the estate that exists prior to conversion. For filing a motion to convert or a notice of conversion, a fee shall be charged in the amount of the difference between the current filing fee for the chapter under which the case was originally commenced and the current filing fee for the chapter to which the case is requested to be converted. If the filing fee for the chapter to which the case is requested to be converted is less than

the fee paid at the commencement of the case, no refund shall be provided. A fee shall not be assessed under this item for converting a Chapter 7 or 13 case to a Chapter 11 case as the fee for these actions is collected pursuant to statute under 28 U.S.C. § 1930(a).

- (11) For filing a motion to reopen a Bankruptcy Code case, a fee shall be collected in the same amount as the filing fee prescribed by 28 U.S.C. § 1930(a) for commencing a new case on the date of reopening. The reopening fee should be charged when a case is closed without a discharge being entered. If the motion to reopen is made for a Chapter 7 case, an additional fee of \$15 shall be paid to the clerk of the court for payment to trustees serving in cases as provided in 11 U.S.C. § 330(b)(2). For filing a motion to reopen a Chapter 15 case, a fee shall be charged in the same amount as the filing fee required under Item 16 of this schedule for commencing a new case on the date of reopening. The reopening fee will not be charged if the reopening is necessary: (1) to permit a party to file a complaint to obtain a determination under Rule 4007(b), or, (2) when a creditor is violating the terms of the discharge under 11 U.S.C. § 524. The court may waive this fee under appropriate circumstances or may defer payment of the fee from trustees pending discovery of additional assets. If payment is deferred, the fee shall be waived if no additional assets are discovered.
- (12) For each microfiche sheet of film or microfilm jacket copy of any court record, where available, \$5.
- (13) For retrieval of a record from a Federal Records Center, National Archives, or other storage location removed from the place of business of the court, \$45.
- (14) For a check paid into the court which is returned for lack of funds, \$45.
- (15) For docketing a proceeding on appeal or review from a final judgment of a bankruptcy judge pursuant to 28 U.S.C. § 158(a) and (b), \$250. A separate fee shall be paid by each party filing a notice of appeal in the bankruptcy court, but parties filing a joint notice of appeal in the bankruptcy court are required to pay only one fee. If a trustee or debtor in possession is the appellant, the fee should be payable only from the estate and to the extent there is any estate realized. Upon notice from the court of appeals that a direct appeal from the bankruptcy court has been authorized, the appellant shall pay an additional \$200.

- (16) For filing a Chapter 15 proceeding, the fee shall be the same amount as the fee for a case commenced under Chapter 11 of Title 11 as required by 28 U.S.C. § 1930(a)(3).
- (17) The court may charge and collect fees commensurate with the cost of providing copies of the local rules of court. The court may also distribute copies of the local rules without charge.
- (18) The clerk shall assess a charge for the handling of registry funds deposited with the court, to be assessed from interest earnings and in accordance with the detailed fee schedule issued by the Director of the Administrative Office of the United States Courts.
- (19) When a joint case filed under § 302 of Title 11 is divided into two separate cases at the request of the debtor(s), a fee shall be charged equal to the current filing fee for the chapter under which the joint case was commenced. If the motion to divide the case is made for a Chapter 7 case, an additional fee of \$15 shall be paid to the clerk of the court for payment to trustees serving in cases as provided in 11 U.S.C. § 330(b)(2).
- (20) For filing a motion to terminate, annul, modify, or condition the automatic stay provided under § 362(a) of Title 11, a motion to compel abandonment of property of the estate pursuant to Rule 6007(b) of the Federal Rules of Bankruptcy Procedure, or a motion to withdraw the reference of a case or proceeding under 28 U.S.C. § 157(d), \$150. No fee is required for a motion for relief from the co-debtor stay or for a stipulation for court approval of an agreement for relief from a stay. If a child support creditor or its representative is the movant, and if such movant files the form required by § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.
- (21) For docketing a cross appeal from a bankruptcy court determination, \$250. If a trustee or debtor in possession is the appellant, the fee should be payable only from the estate and to the extent there is any estate realized. Upon notice from the court of appeals that a direct cross from the bankruptcy court has been authorized, the cross appellant shall pay an additional \$200.

## **Frequently Asked Questions Changes to Bankruptcy Fees**

### **Item 6 - Adversary Filing Fee**

- 1. What is the fee for filing an adversary proceeding in a bankruptcy court? \$250.*
- 2. Will the adversary filing fee change if the civil action filing fee in District Court changes in the future?*

No, the two fees are no longer linked.

### **Item 10 - Fee for Conversions**

#### Original Case Is a Chapter 7

- 3. What is the fee for filing a motion to convert a Chapter 7 case to a Chapter 13?*

No fee is charged. The Judicial Conference agreed that in the event that a case is converted to a chapter with a lower filing fee, no additional fee is charged and no refund will be allowed. The Chapter 7 statutory filing fee is \$245 while the Chapter 13 statutory filing fee is \$235, thus no fee is charged.

- 4. What is the fee for filing a motion to convert a Chapter 7 case to a Chapter 11?*

The fee for filing a motion to convert a Chapter 7 case to a Chapter 11 will be \$755 - the difference between the statutory filing fee for a Chapter 11 (\$1,000) and the statutory fee for filing a Chapter 7 case (\$245).

- 5. What is the fee for filing a motion to convert a Chapter 7 case to a Chapter 12?*

No fee is charged. The Judicial Conference agreed that in the event that a case is converted to a chapter with a lower filing fee, no additional fee will be charged and no refund will be allowed. The Chapter 7 statutory filing fee is \$245 while the Chapter 12 statutory filing fee is \$200, thus no fee is charged.

#### Original Case is a Chapter 11

- 6. What is the fee for filing a motion to convert a Chapter 11 case to a Chapter 7?*

The fee for filing a motion to convert a Chapter 11 case to a Chapter 7 is \$15 pursuant to Item 10.

*7. What is the fee for filing a motion to convert a chapter 11 case to any chapter other than Chapter 7?*

No fee is charged. The Judicial Conference agreed that in the event that a case is converted to a chapter with a lower filing fee, no additional fee will be charged and no refund will be allowed. The Chapter 11 filing fee is greater than or equal to all other fees.

Original Case is a Chapter 12

*8. What is the fee for filing a motion to convert a Chapter 12 case to a Chapter 7 case?*

The total fee for filing a motion to convert a Chapter 12 case to a Chapter 7 case is \$60. This \$60 fee includes: the \$15 fee currently required in Item 10 for converting to a Chapter 7, plus an additional \$45 - the difference between the Chapter 7 statutory filing fee (\$245) and the Chapter 12 statutory filing fee (\$200).

*9. What is the fee for filing a motion to convert a Chapter 12 case to a Chapter 13 case?*

The total fee for filing a motion to convert a Chapter 12 case to a Chapter 13 is \$35 - the difference between the Chapter 13 statutory filing fee (\$235) and the Chapter 12 statutory filing fee (\$200).

*10. What is the fee for filing a motion to convert a Chapter 12 case to a Chapter 11 case?*

The total fee for filing a motion to convert a Chapter 12 case to a Chapter 11 case is \$800 - the difference between the statutory filing fee for a Chapter 11 (\$1,000) and the statutory filing fee for filing a Chapter 12 (\$200).

Original Case is a Chapter 13

*11. What is the fee for filing a motion to convert a Chapter 13 case to a Chapter 7?*

The total fee for filing a motion to convert a Chapter 13 case to a Chapter 7 case is \$25. This fee of \$25 includes: the \$15 fee for converting to a Chapter 7 currently required by item 10, plus an additional \$10 - the difference between the Chapter 7 statutory filing fee (\$245) and the Chapter 13 statutory filing fee (\$235).

*12. What is the fee for filing a motion to convert a Chapter 13 case to a Chapter 12?*

No fee is charged. The Judicial Conference agreed that in the event that a case is converted to a chapter with a lower filing fee, no additional fee is charged and no refund will be given. The Chapter 12 statutory filing fee is \$200 while the Chapter 13 statutory filing fee is \$235, thus no fee is charged.



*13. What is the fee for filing a motion to convert a Chapter 13 case to a Chapter 11?*

The fee for filing a motion to convert a Chapter 13 case to a Chapter 11 case will be \$765 - the difference between the statutory filing fee for a Chapter 11 case (\$1,000) and the statutory fee for filing a Chapter 13 case (\$235).

#### Sua Sponte Conversions by the Court

*14. What is the fee when the court orders a conversion of a case to another chapter under the Bankruptcy Code?*

No fee is charged when the conversion order is made sua sponte (i.e., on its own) by the court, in the absence of a notice or request of a party.

#### **Item 11 -Reopening Fee**

*15. What is the fee to reopen a Chapter 7 case?*

The total fee for filing a motion to reopen a Chapter 7 case will be \$260. This amount includes the reopening fee of \$245 plus the \$15 fee required by Item 11 to be paid to case trustees pursuant to statutory directive under 11 U.S.C. § 330(b)(2).

*16. What is the fee to reopen a Chapter 11 case?*

The total fee for filing a motion to reopen a Chapter 11 case is \$1,000.

*17. What is the fee to reopen a Chapter 12 case?*

The total fee for filing a motion to reopen a Chapter 12 case is \$200.

*18. What is the fee to reopen a Chapter 13 case?*

The total fee for filing a motion to reopen a Chapter 13 case is \$235.

*19. What is the fee to reopen a Chapter 15 case?*

The total fee for filing a motion to reopen a Chapter 15 case is \$1,000.

*20. What situations trigger the exemption from the fee for a motion to reopen a case?*

The exemption from paying the fee to reopen a case can be applied in only two situations. These two situations are: (1) reopening a case to permit a party to file a complaint to obtain a determination under Rule 4007(b), or, (2) reopening a case when a creditor is

violating the terms of the discharge under 11 U.S.C. § 524.

*21. A debtor fails to complete a financial management course in order to be eligible for discharge as required by BAPCPA. The case is closed without a discharge being granted. The debtor files a motion to reopen the case for the purpose of filing the financial management certificate. Can the debtor assert that the filing is related to the discharge and be exempt from paying the fee?*

No. In order to resolve any ambiguity with regard to the exemption from the reopening fee, the Judicial Conference amended Item 11 of the Bankruptcy Court Miscellaneous Court Fee Schedule to expressly state that the fee applies to a request to reopen a case in which the court did not enter a discharge. Therefore, a debtor seeking to reopen a case to file the certificate of completion of a financial management course must pay the reopening fee, as no discharge has been granted in the case.

### **Item 19 - Splitting a Joint Case**

*22. What is the fee for filing a motion to divide a joint Chapter 7 case into two separate cases at the request of the debtor(s)?*

The total fee for filing a motion to split a joint Chapter 7 case will be \$260. This amount includes the fee for splitting a Chapter 7 case of \$245 plus the \$15 fee required by Item 19 to be paid to case trustees pursuant to statutory directive under 11 U.S.C. § 330(b)(2).

*23. What is the fee for filing a motion to divide a joint Chapter 11 case into two separate cases at the request of the debtor(s)?*

The fee for filing a motion to split a joint Chapter 11 case is \$1,000.

*24. What is the fee for filing a motion to divide a joint Chapter 12 case into two separate cases at the request of the debtor(s)?*

The fee for filing a motion to split a joint Chapter 12 case is \$200.

*25. What is the fee for filing a motion to divide a joint Chapter 13 case into two separate cases at the request of the debtor(s)?*

The fee for filing a motion to split a joint Chapter 13 case is \$235.

### **Items 15 and 21 - Filing Fees for Appeals and Fee for Direct Appeals**

*26. What is the fee for filing an appeal from a bankruptcy court decision to the district court or Bankruptcy Appellate Panel (BAP)?*

The total fee for filing an appeal to the district court or the BAP is \$255. This amount includes the \$250 fee required by Item 15 plus the \$5 notice of appeal fee required by 28 U.S.C. §1930(c).

*27. What is the fee for filing a cross appeal from a bankruptcy court decision to the District Court or Bankruptcy Appellate Panel(BAP)?*

The total fee for filing a cross appeal to the district court or the BAP is \$255. This amount includes the \$250 fee required by Item 21 plus the \$5 notice of appeal fee required by 28 U.S.C. §1930(c).

*28. What is the fee for filing a direct appeal from a bankruptcy court decision to the Court of Appeals?*

The fee for **requesting** a direct appeal from a bankruptcy court decision to the Court of Appeals is \$255. This amount includes the \$250 fee required by Item 15 plus the \$5 notice of appeal fee required by 28 U.S.C. §1930(c). If the court of appeals **authorizes** the direct appeal, an **additional** fee of \$200 will be collected by the bankruptcy clerk, as required by Item 15 of the Bankruptcy Court Miscellaneous Fee Schedule.

*29. What is the fee for filing a direct cross appeal from a bankruptcy court decision to the Court of Appeals?*

The fee for **requesting** a direct cross appeal from a bankruptcy court decision to the Court of Appeals is \$255. This amount includes the \$250 fee required by Item 21 plus the \$5 notice of appeal fee required by 28 U.S.C. §1930(c). If the court of appeals **authorizes** the direct cross appeal, an **additional** fee of \$200 will be collected by the bankruptcy clerk as required by Item 21 of the Bankruptcy Court Miscellaneous Fee Schedule.